

Senate File 2147 - Introduced

SENATE FILE 2147

BY SMITH

A BILL FOR

1 An Act relating to the accumulation of earned time by
2 offenders, and providing penalties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 903A.2, subsection 1, paragraph a,
2 subparagraph (2), Code 2018, is amended to read as follows:

3 (2) However, an inmate required to participate in a sex
4 offender treatment program shall not be eligible for a any
5 reduction of sentence ~~unless~~ until the inmate participates in
6 and completes a sex offender treatment program established by
7 the director.

8 Sec. 2. Section 903A.2, subsection 1, paragraph b,
9 subparagraph (2), Code 2018, is amended to read as follows:

10 (2) An inmate required to participate in a domestic abuse
11 treatment program shall not be eligible for a any reduction of
12 sentence ~~unless~~ until the inmate participates in and completes
13 a domestic abuse treatment program established by the director.

14 Sec. 3. Section 903A.3, subsection 1, Code 2018, is amended
15 to read as follows:

16 1. Upon finding that an inmate has violated an institutional
17 rule, has failed to complete a sex offender or domestic abuse
18 treatment program as specified in section 903A.2, or has
19 had an action or appeal dismissed under [section 610A.2](#), the
20 independent administrative law judge may order forfeiture of
21 any or all earned time accrued and not forfeited up to the
22 date of the violation by the inmate and may order forfeiture
23 of any or all earned time accrued and not forfeited up to
24 the date the action or appeal is dismissed, unless the court
25 entered such an order under [section 610A.3](#). The independent
26 administrative law judge has discretion within the guidelines
27 established pursuant to [section 903A.4](#), to determine the amount
28 of time that should be forfeited based upon the severity of the
29 violation. Prior violations by the inmate may be considered by
30 the administrative law judge in the decision.

31 EXPLANATION

32 The inclusion of this explanation does not constitute agreement with
33 the explanation's substance by the members of the general assembly.

34 This bill relates to the accumulation of earned time by
35 offenders and provides penalties.

1 The bill specifies that an inmate committed to the
2 department of corrections who is required to participate in
3 a sex offender treatment program shall not be eligible for
4 any reduction of a category "A" sentence until the inmate
5 participates in and completes a sex offender treatment program.
6 Currently, such an inmate is not eligible for a reduction of
7 sentence unless the inmate participates in and completes a
8 sex offender treatment program. An inmate serving a category
9 "A" sentence is eligible to receive one and two-tenths
10 days for each day the inmate demonstrates good conduct and
11 satisfactorily participates in any program or placement status.

12 The bill specifies that an inmate committed to the
13 department of corrections who is required to participate in
14 a domestic abuse treatment program shall not be eligible for
15 any reduction of a category "B" sentence until the inmate
16 participates in and completes a domestic abuse treatment
17 program. Currently, such an inmate is not eligible for a
18 reduction of sentence unless the inmate participates in and
19 completes a domestic abuse treatment program. An inmate
20 serving a category "B" sentence is eligible for a reduction of
21 sentence equal to fifteen eighty-fifths of a day for each day
22 of good conduct by the inmate.

23 Upon a finding of an independent administrative law judge,
24 the bill specifies that an inmate committed to the department
25 of corrections may be ordered to forfeit any or all earned
26 time, if the inmate has failed to complete a sex offender or
27 domestic abuse treatment program.